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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,569	12/04/2000	Susumu Kusakabe	112857-225	4464

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EXAMINER	
TRAN, ELLEN C	

ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/729,569	KUSAKABE ET AL.	
	Examiner	Art Unit	
	Ellen C Tran	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 June 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communication: amendment filed 7 June 2004, with original application filed 04 December 2000, and acknowledgement of a foreign priority date of 08 December 1999.

2. Claims 1-20 are currently pending in this application. Claims 1, 7, 8, and 14 are independent claims. Claims 1, 7, 8, and 19 have been amended.

Response to Arguments

3. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Sehr U.S. Patent No. 6,085,976 (hereinafter '976).

As to independent claim 1, "As to independent claim 1, "A right-information distribution method comprising the steps of: generating right information and verification information for authenticating the validity of a portable electronic device when the right information is stored in said portable electronic device generating a right code, by encrypting the right information and the verification information" is taught in '976 col. 3, lines 1-40;

"wherein said right code is provided to a user offline" is shown in '976 col. 6, lines 1-14 (Note: it is inherent that "right code" has the same meaning as "account numbers", "security key", "access codes", "validation codes", "confirmation numbers", "biometric information" known in the art that are provided to a user through many mechanisms such as in writing, live by a user, live by a sensor, which could be considered "offline" see"ACCESS CONTROL col. 18 lines 1-56) ;

"enabling the user to input the offline-provided right code into said portable electronic device; decrypting the right code inputted into the portable electronic device and using the verification information to authenticate the right information based on the decrypted right code; and storing the authenticated right information in said portable electronic device" is disclosed in '976 col. 6, lines 23-39.

As to dependent claim 2, "wherein the right information includes information which permits admission to a predetermined place" is disclosed in '976 col. 4, lines 44-52.

As to dependent claim 3, "wherein said portable electronic device is an integrated circuit card" is taught in '976 col. 6, lines 16-18.

As to dependent claim 4, "wherein the step of inputting the offline provided right code to said portable electronic device is performed by an information management apparatus" is shown in '976 col. 6, lines 39-51.

As to dependent claim 5, "wherein the storing of the right information is performed when said portable electronic device and said information management apparatus are combined with each other" is disclosed in '976 col. 6, lines 16-38.

As to dependent claim 6, "further comprising the steps of: inputting a first right code added to the right information, and an identification number for returning the right information to a source of the right information" is shown in '976 col. 6, lines 1-14;

"and after confirming the input first right code and the input identification number, confirming an offline providable second right code for returning the right information to said source of the right information, and invalidating said first right code" is disclosed in '976 col. 9, lines 15-19.

As to independent claim 7, "A right-information distribution method for transferring right information from a first portable electronic device to a second portable electronic device" is taught in '976 col. 9, lines 15-19

"said right-information distribution method comprising the steps of: generating the right information and verification information for authenticating the validity of said first portable electronic device when the right information is stored in said first portable electronic device; generating a first right code, by encrypting the right information and the verification information" is disclosed in '976 col. 3, lines 1-40;

"wherein said right code is provided to a user offline" is taught in '976 col. 6, lines 1-14;

"enabling the user to input the offline-provided first right code and the identification number of said second portable electronic device into said first portable electronic device confirming the input first right code and the input identification number; invalidating the first right code and generating a second right code, which is provided offline" is shown in '976 teaches in col. 21, lines 12-27;

"enabling the user to input the second right code into said second portable electronic device; decoding the offline-provided second right code into the portable electronic device and authenticating the decoded second right code; and storing, the right information included in the authenticated second right code" is disclosed in '976 col. 6, lines 23-39.

As to independent claim 8, "An information distribution system comprising: a portable electronic device for a user; and an information management apparatus for storing both information on a predetermined right and information corresponding to said portable electronic device, the second information indicating to whom a right belongs" is taught in '976 col. 3, lines 1-40;

"wherein said information distribution system manages the location of said right by updating the right information stored by said information management apparatus and the information indicating to whom said right: belongs; said information management apparatus comprises: information holding means for holding the right information" is shown in '976 col. 5, lines 11-54;

"access means for recording the transfer of said right to said user by accessing said information holding means and for updating the right information held by said information holding means" is shown in '976 col. 5, lines 48-67;

"encryption means for generating encrypted information by using a code unique to said portable electronic device to encrypt the information indicating to whom said right belongs to be in an offline providable form; and information providing means for providing said user with the encrypted information so that the encrypted information

passes through an offline channel at least once; and said portable electronic device comprises: input means for accepting the input of the encrypted information; decryption means for decrypting the encrypted information using said unique code and outputting the information indicating to whom said right belongs; recording means for recording the output information indicating to whom said right belongs; and information output means for using a predetermined access means to output the recorded information indicating to whom said right belongs" is disclosed in '976 teaches in col. 6, lines 1-38.

As to dependent claim 9, is substantially similar to claim 2 and is rejected along the same rationale.

As to dependent claim 10, "wherein said information management apparatus executes billing in response to the provision of the encrypted information by said information providing means" is taught in '654 col. 4, lines 1-26.

As to dependent claim 11, "wherein: said portable electronic device comprises: information generating means for generating information for requesting the transfer of said right based on the information recorded in said recording means" is shown in '976 col. 9 lines 15-19;

"encryption means for generating encrypted transfer information by using a code unique to encrypt the information for requesting the transfer of said right so that the encrypted transfer information is provided offline; control means for controlling the accessing of the information recorded in said recording means in response to the encryption by said encryption means; and output means for outputting the encrypted transfer information so that the encrypted transfer information passes through an offline

channel at least once; and said information management apparatus further comprises a decryption means for decrypting the encrypted transfer information, and updates right information which corresponds to the output of said decryption means by using said access means to access said information holding means in response to the output of said decryption means" is disclosed in '654 col. 6, lines 1-52.

As to dependent claim 12, "wherein said information management apparatus executes billing in response to the provision of the encrypted information by the information providing means, and changes the billing in response to the encrypted transfer information" is taught in '976 col. 3, lines 56-67.

As to dependent claim 13, "wherein: said portable electronic device comprises: encryption means for generating second encrypted information based on the information recorded in said recording means by using a code unique to another portable electronic device so that the second encrypted information is provided offline; control means for controlling the accessing of the information recorded in said recording means in response to the encryption by said encryption means; and output means for outputting the second encrypted information so that the second encrypted information is provided to the other portable electronic device" is shown in '976 col. 9, lines 15-19;

"after passing through an offline channel at least once; and the other portable electronic device performs the processing of the second encrypted information, which is identical to the processing of the encrypted information by said portable electronic device" is shown in '976 col. 5, line 12 through col. 6, line 52.

As to independent claim 14, "An information management method for, by updating right information held by an information management apparatus and by recording in a portable electronic device information indicating to whom said right belongs, managing said right so as to be exercised when said portable electronic device is with a user, wherein said information management method controls said information management apparatus to perform the steps of" is taught in '976 col. 3, lines 1-40;

"generating encrypted information to be in an offline providable form by using a code unique to said portable electronic device to encrypt the information indicating to whom said right belongs" is shown in '976 col. 6, lines 1-14;

"and providing said user with the encrypted information so that the encrypted information passes through an offline channel at least once" is disclosed in '976 col. 6, lines 23-39.

As to dependent claim 15, "wherein the billing is performed in response to the provision of the encrypted information" is disclosed in '976 teaches in col. 3, lines 57-67.

As to dependent claim 16, "wherein said information management method controls said portable electronic device to perform the steps of generating encrypted transfer information by using a unique code to encrypt information for requesting the transfer of said right so that the encrypted transfer information is provided offline; and preventing the information indicating to whom said right belongs from being output, and transmitting the encrypted transfer information to said information management apparatus so that the encrypted transfer information passes through the offline channel at least once" is disclosed in '976 col. 6, lines 1-15.

As to dependent claim 17, "wherein said information management method controls said image management apparatus to perform the steps of executing a billing process in response to the provision of the encrypted information; and changing said billing process in response to the encrypted transfer information" is taught in '976 col. 3, lines 56-67.

As to dependent claim 18, "wherein said information management method controls said portable electronic device to perform the steps of: generating second encrypted information based on the information indicating to whom said right belongs by using a code unique to another portable electronic device so that the second encrypted information is provided offline; and providing the second encrypted information to the other portable electronic device so that the second encrypted information passes through the offline channel at least once; and outputting the second encrypted information and preventing the information indicating to whom said right belongs from being output" is shown in '976 col. 5, line 12 through col. 6, line 52.

As to dependent claims 19 and 20, these claims are substantially similar to claims 2 and 3 therefore they are rejected along the same rationale.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hiroya et al.	U.S. Patent No. 5,754,654	issued 19 May 1998
Krause	U.S. Patent No. 6,398,115	issued 4 June 2002

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (571) 272-3842. The examiner can normally be reached from 6:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A Morse can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ellen Tran
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25 January 2005

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